

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HOWARD K. STERN,

Plaintiff,

vs.

RITA COSBY and  
HACHETTE BOOK GROUP USA, INC.  
d/b/a Grand Central Publishing, and  
JOHN or JANE DOE,

Defendants.

**JUDGE CHIN**

**MOTION TO ADMIT PRO  
HAC VICE**

**07 CIV 8536**

Casel No.

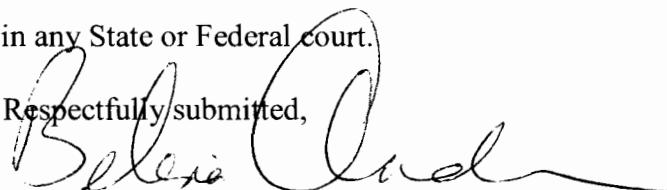
PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Belina Anderson, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of

Nicole Jennings Wade (GA Bar No. 390922)  
POWELL GOLDSTEIN LLP  
One Atlantic Center  
Fourteenth Floor  
1201 West Peachtree Street, N.W.  
Atlanta, Georgia 30309  
Telephone: (404) 572-6600  
Facsimile: (404) 572-6999

Ms. Wade is a member in good standing of the Bar of the State of Georgia. There are no pending disciplinary proceedings against Ms. Wade in any State or Federal court.

Dated: October 2, 2007

Respectfully submitted,

  
Belina Anderson, Esq.  
SDNY Bar Roll Number BA5133  
GILBERTI STINZIANO HEINTZ & SMITH, P.C.  
*Attorneys for Plaintiff, Howard K. Stern*  
885 Third Avenue, Suite 2730  
New York, New York 10022-4834  
Telephone: (212) 588-8868  
Facsimile: (212) 588-8894

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HOWARD K. STERN,

Plaintiff,

vs.

RITA COSBY and  
HACHETTE BOOK GROUP USA, INC.  
d/b/a Grand Central Publishing, and  
JOHN or JANE DOE,

Defendants.

**AFFIDAVIT OF BELINA  
ANDERSON IN SUPPORT  
OF MOTION TO ADMIT  
NICOLE JENNINGS WADE,  
ESQ. *PRO HAC VICE***

Case No.

STATE OF NEW YORK )  
                        ) s.s.:  
COUNTY OF NEW YORK )

Belina Anderson, being duly sworn, hereby deposes and says as follows:

1. I am associated with the law firm of Gilberti Stinziano Heintz & Smith, P.C., counsel for the Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein. I submit this affidavit in support of Plaintiff's motion to admit *pro hac vice*, Nicole Jennings Wade, a partner with the Atlanta, Georgia law office of Powell Goldstein LLP with an address and telephone number as follows: One Atlantic Center, Fourteenth Floor, 1201 West Peachtree Street, NW, Atlanta, Georgia 30309-3488; telephone number (404) 472-6600.

2. Plaintiff files this motion to admit Nicole Jennings Wade, Esq. *pro hac vice* simultaneous with filing the Summons and Complaint in this action. Nicole Jennings Wade, a partner with the Atlanta, Georgia law office of Powell Goldstein LLP, will act as counsel for the Plaintiff. Plaintiff also separately moves for the *pro hac vice* admission of three other attorneys

with the Powell Goldstein firm: L. Lin Wood, a partner; John C. Patton, an associate; and Luke Lantta, an associate.

3. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1989.

4. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

5. Gilberti Stinziano Heintz & Smith, P.C., will act as local counsel to Powell Goldstein LLP in this action.

6. I have not personally met Ms. Wade, but I understand Ms. Wade to be a partner of L. Lin Wood, Esq., who will act as lead counsel for the Plaintiff.

7. Upon information and belief, Ms. Wade was admitted to practice law in the State of Georgia on July 6, 1995.

8. A Certificate of Good Standing reflecting Ms. Wade's good standing as an attorney admitted to the bar of the State of Georgia is annexed hereto and made part hereof as Exhibit A.

9. It is my understanding that Ms. Wade is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

10. I believe that Plaintiff will benefit from Ms. Wade's participation as counsel for the Plaintiff in this lawsuit, with my law firm acting as local counsel.

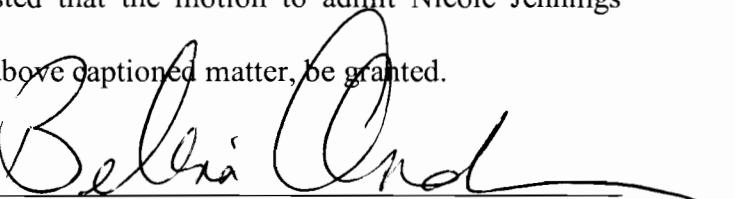
11. I believe that Ms. Wade meets all of the qualifications for admission *pro hac vice* and to practice law before the courts of this State.

12. Accordingly, I am pleased to move for the admission of Nicole Jennings Wade, *pro hac vice*.

13. I respectfully submit a proposed order granting the admission of Nicole Wade, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that the motion to admit Nicole Jennings Wade, *pro hac vice*, to represent Plaintiff in the above captioned matter, be granted.

Dated: October 2, 2007  
New York, New York

  
Belina Anderson, Esq. (SDNY Bar Roll #BA5133)

Sworn to before me this 2<sup>nd</sup> day  
of October, 2007.

  
Notary Public

EILEEN A. KRAKAUER  
Notary Public, State of New York  
No. 01KR4637224  
Qualified in Queens County  
Commission Expires April 30, 2010



# STATE BAR OF GEORGIA

*Lawyers Serving the Public and the Justice System*

Ms. Nicole Jennings Wade  
Powell Goldstein LLP  
1201 W. Peachtree St., N.W., 14th Floor  
Atlanta, GA 30309

CURRENT STATUS: Active Member-Good Standing

DATE OF ADMISSION TO PRACTICE: 07/06/1995

Attorney Bar Number: 390922

Today's Date: September 24, 2007

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #	Supreme Court Docket #	Disposition
N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- Must be certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).
- Sworn in to the Superior Court in Georgia, which is the highest court needed for individuals to practice law in the State of Georgia.
- Enrolled with the State Bar of Georgia, which is an arm of the Supreme Court of Georgia.

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by **State Bar Rule 1-204**. The member is current in license fees and is not suspended or disbarred as of the date of this letter.

## STATE BAR OF GEORGIA

Official Representative of the State Bar of Georgia

### HEADQUARTERS

104 Marietta Street, Suite 100  
Atlanta, Georgia 30303  
(404) 527-8700 ■ (800) 334-6865  
FAX (404) 527-8717  
[www.gabar.org](http://www.gabar.org)

### SOUTH GEORGIA

244 E. Second Street (Zip 31794)  
P.O. Box 1390  
Tifton, Georgia 31793-1390  
(229) 387-0446 ■ (800) 330-0446  
FAX (229) 382-7435

**AGENCY AFFIDAVIT  
ESSENTIAL SERVICES GROUP  
555 EIGHTH AVE., SUITE 1901  
NEW YORK, N.Y. 10018  
TEL.#212-760-2300, FAX#212-760-00188**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HOWARD K. STERN

VS. INDEX#07CIV 8536

RITA COSBY, ET AL.

State of New York, County of New York, SS:

JACK JOHNSON, being duly sworn deposes and says that deponent is over the age of eighteen years, is not a party to this action and is a resident of New York State.

On **OCTOBER 3/07 AT 12:35P.M. at:**

**C/O CT CORPORATION SYSTEMS**

**111 8TH AVE.**

**NEW YORK, N.Y. 10020** Deponent served the annexed:

**SUMMONS;**

**COMPLAINT;**

**MOTION TO ADMIT PRO HAC VICE OF LUKE LANTTA;**

**MOTION TO ADMIT PRO HAC VICE NICOLE JENNINGS WADE;**

**MOTION TO ADMIT PRO HAC VICE JOHN C. PATTON;**

**THE CIVIL COVER SHEET;**

**INDIVIDUAL PRACTICES OF JUDGE CHIN;**

**INDIVIDUAL PRACTICESOF MAGISTRATE JUDGE EATON,**

**NOTICE OF RIGHT TO PROCEED BEFORE A U.S. MAGISTRATE JUDGE**

on **HACHATT BOOK GROUP**

by delivering thereat a true copy to NORA DINDYAL (PROCESS SPECIALIST)

personally; who represented to deponent that (s)he was authorized to accept service of process on behalf of **HACHATT BOOK GROUP**.

Deponent describes the individual served as follows:

Sex/Race(skin color): FEMALE/BROWN

Hair/ Approximate Age: BLACK/ 30-40 YRS.

Approximate height/Approximate weight: 5'5"/125 LBS.

564/

PS10-07-12

sworn to before me this

9 day -of

*October 9/07*  
*Julius D. Ringelheim*



*Jack Johnson*  
*Process License*  
*#1181702*

**AFFIDAVIT OF PERSONAL SERVICE  
ESSENTIAL SERVICES GROUP  
555 EIGHTH AVE., SUITE 1901  
NEW YORK, N.Y. 10018  
TEL.#212-760-2300  
FAX. 212-760-0188**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HOWARD K. STERN

VS.

INDEX#07CIV 8536

RITA COSBY, ET AL.

State of New York, County of New York SS:

**JACK JOHNSON**, being duly sworn deposes and says that deponent is over the age of eighteen years: Is not a party to this action and is a resident of New York State That on OCTOBER 3/07 AT 7:10P.M. at IN FRONT OF:CLUB PACHE  
618 WEST 46TH STREET

NEW YORK, N.Y. Deponent served the annexed **SUMMONS;**  
**COMPLAINT;**

**MOTION TO ADMIT PRO HAC VICE OF LUKE LANTTA;**

**MOTION TO ADMIT PRO HAC VICE NICOLE JENNINGS WADE;**

**MOTION TO ADMIT PRO HAC VICE JOHN C. PATTON;**

**THE CIVIL COVER SHEET;**

**INDIVIDUAL PRACTICES OF JUDGE CHIN;**

**INDIVIDUAL PRACTICESOF MAGISTRATE JUDGE EATON;**

**NOTICE RIGHT TO PROCEED BEFORE A U.S. MAGISTRATE JUDGE,**  
on **RITA COSBY** by delivering a true copy to said **RITA COSBY** personally.

Deponent asked the person spoken to whether **RITA COSBY** was in the military service of the u.s. Government and was told **RITA COSBY** was not.

Deponent describes the individual served as follows:

Sex/Race(skin color): FEMALE/ WHITE

Hair Color/Approximate Age: BLOND/35-45 YRS.

Approximate height/Approximate weight: 5'9"/135 LBS.

564PS10-07-13

Sworn to before me this

9 day of

October 07

Julius D. Ringelheim

